

# 12550  
on Amended Restrictive Covenants,  
see this vol. Sec. # 59, page 247.  
Mary Margaret Parker, D. D. C.

43  
18

Entered for Record  
18 (Book 15) AT 10:36 AM  
Gail S. Gibbs  
Recorder, Randolph County

8/16/75

RESTRICTIVE COVENANTS AND  
DEED TO COMMON AREAS

OF

LAKWOOD TERRACE

1. All lots in this subdivision shall be used exclusively for residential purposes. No structure or building shall be erected, altered, placed or permitted to remain on any lot other than one single-family dwelling and private garage.
2. Each residence or dwelling in this subdivision must have a one or two car garage attached to, connected with, or built as a part of the one-family dwelling. Garages must contain a minimum of 250 sq. ft. of floor area.
3. TYPE, SIZE AND CONSTRUCTION. Any dwelling erected, placed or altered on any lot in this subdivision must conform to the following minimum standards:
  - a. Any residence erected or placed upon any lot in this subdivision shall have a ground floor area, exclusive of open porches or garages, not less than 1250 sq. ft. in the case of a one-story building, not less than 1250 sq. ft. in the case of a one-and-one half story building and not less than 900 sq. ft. in the case of a two-story structure. No two-story, tri-level or bi-level shall be erected on any lot with less than 1800 sq. ft. of livable floor area. When attached garages have living quarters above, said living quarters may be considered part of the dwelling.
  - b. The first story of each residence or dwelling, including garage, in this subdivision must be built with all exterior walls covered with either brick or stone veneer except that, in order to enhance appearance of the residence, areas under roof which are part of open porches may be veneered with wood, aluminum or similar material, except cement block.
  - c. No trailer, mobile home, tent, basement, shack, garage, barn or other building shall be placed or constructed in this subdivision at any time for use as either a temporary or permanent residence or for any other purpose, except incident to the construction of a dwelling on the premises.
  - d. Each residence erected on any lot in this subdivision shall be equipped with a septic tank and finger system disposal system which shall meet the specifications of the Indiana State Board of Health at the time of installation. All residences must have private inside bathroom facilities.
  - e. Fences, walls and hedges, if any, shall be of open construction not more than five feet in height and shall not extend in front of the front dwelling line.
  - f. All flues shall be of brick or stone construction. No metal flues are to be used.
  - g. All structures shall be completed on the exterior within six (6) months from start of construction including two (2) coats of paint or varnish on any exterior wood surface. All structures must be completed and site graded, sodded or seeded, and reasonably landscaped within one (1) year from date of commencement thereof.
4. Each lot on this subdivision shall have a minimum of two (2) shade-type trees within one year.
5. All purchasers shall take their title subject to any easements granted for the use of public utilities or drainage facilities as shown in the plat.
6. All storage tanks of any kind must be located in a building or buried under the ground.
7. No lot in this subdivision shall be used or maintained as a dumping ground for rubbish, trash, garbage or other waste. Any such waste shall be kept in sanitary containers. All incinerators or other equipment for the storage or disposal of such material shall be kept in a clean and sanitary condition.

8058 Apt. 16, 1775  
For Reference by BE  
see memo 68 page 301  
Marilyn Abbott  
R. NC



8. Owners of unoccupied lots shall at all times keep and maintain their property in this subdivision in an orderly manner causing weeds and other growth to be seasonally cut and prevent accumulation of rubbish and debris on the premises.

9. No noxious business, trade or enterprise shall be conducted or carried on upon any lot or lots in this subdivision nor shall anything be done thereon which may become an annoyance or be a nuisance to the neighborhood at large.

10. No animals of any kind shall be kept or bred on any lot in this subdivision, excluding Tract "A", except household pets not for commercial purposes.

11. Any dwelling and garage on any lot in this subdivision which may in whole or in part be destroyed by fire, windstorm or for any other reason, must be rebuilt or all debris removed and the lot restored to a sightly condition with reasonable promptness.

12. The Brunner-Spikes Corporation shall have the option to repurchase any property offered for sale in this subdivision. Any owner contemplating a sale of property in this subdivision shall present to the Brunner-Spikes Corporation a bona fide offer executed by his prospective purchaser. The Brunner-Spikes Corporation shall have the option for thirty (30) days to purchase subject property for an equivalent price.

13. These covenants shall run with the land and shall be binding on all parties claiming under them for a period of 20 years and shall be extended for successive periods of ten years unless and prior to the expiration of any such 10 year period, an instrument signed by the owners of record of a majority of lots in the subdivision has been recorded changing or modifying said covenants in whole or in part.

14. This indenture witnesseth, that Brunner-Spikes Corporation, of Hendricks County, Indiana, a corporation duly organized and authorized to do business in the State of Indiana, hereby conveys and warrants in fee simple as tenants in common to: All people who hold a fee simple interest in the Southeast Quarter, Section 19, Township 16 North, Range 2 East, bounded and described as follows, to-wit: Beginning at the Southwest corner of said Quarter Section, thence North 1,802.38 feet, thence North  $98^{\circ} 32'$  East 1,001.21 feet, thence South  $00^{\circ} 01'$  feet West, 1,8007.33 feet, thence South  $89^{\circ} 49'$  feet West 1,000.60 feet to the beginning point of this description, containing in all 41.43 acres; the following described real estate, to-wit: Real estate covered by an artificial lake of 7.9 acres more or less, and a man-made lake dam and spill-way located in the following described real estate in Hendricks County, Indiana, to-wit: Southeast Quarter, Section 19, Township 16 North, Range 2 East, bounded and described as follows, to-wit: Beginning at the Southwest corner of said Quarter Section, thence North 1,802.38 feet, thence North  $98^{\circ} 32'$  East 1,001.21 feet, thence South  $00^{\circ} 01'$  feet West 1,8007.33 feet, thence South  $89^{\circ} 49'$  feet West 1,000.60 feet to the beginning point of this description, containing in all 41.43 acres. ALSO Lot 10 in Lakewood Terrace, Section 1, as per plat thereof recorded in Plat Book 6, Page 7 Recorder's Office, Hendricks County, Indiana. Said grant is made for the purpose of vesting in said fee simple owners common title to said Lot 10, the lake, dam and spill-way area and all fee owners acquire the property rights conveyed herein without right of partition whether their title is acquired by conveyance of real estate by metes and bounds description or by lot number in a plat now recorded or hereafter recorded.

This conveyance is made subject to a joint use; of the waters of said lake for boating, bathing and fishing in legal season; of Lot 10 for recreation and access to said lake; of the dam and spill-way area for recreation, (except that no motor boats shall be allowed), which said rights are hereby conveyed to all owners of fee simple interest in the 41.43 acres as above particularly described, which said rights and covenants run with the land. All fee owners herein shall be equally liable for maintenance and taxes on said areas owned in common.

These restrictions may be amended at any time by a writing signed by the then owners of the fee title of at least two-thirds of the lots in said subdivision, the amendment to be effective when recorded in the office where conveyances of such land are recorded.

Invalidation of any one of these covenants by judgment or decree shall in no way affect any of the other provisions hereof which shall remain in full force and effect.







59

247

412535

Petition to Amend Sections 1 and 3(c), RESTRICTIVE COVENANTS AND DEED TO COMMON AREAS OF LAKWOOD TERRACE, to permit the construction of a non-residential storage building.

ENTERED FOR RECORD  
BOOK 59 JUN 23 1971 PAGE 247

Mary Margaret Parker  
RECORDER MEMPHIS COUNTY

RESTRICTIONS FOR STORAGE BUILDING

- (1) TYPE. Conventional or Red Barn variety.
- (2) SIZE. A maximum size of 10 feet by 12 feet.
- (3) CONSTRUCTION. To be constructed on a cement slab and anchored. Wood and/or brick construction. No metal or cement block construction allowed.

- |                       |                            |
|-----------------------|----------------------------|
| 1. Robert L. Brandy   | 21. Mrs. Lawrence D. Payne |
| 2. William W. Brandy  | 22. Charles H. Stinson     |
| 3. Edward C. Brandy   | 23. Max. Paul. Mendel      |
| 4. Frank L. Brandy    | 24. Kenneth J. Jones       |
| 5. Roy L. Johnson     | 25. Larry R. Gask          |
| 6. Frank D. Helton    | 26. Joe. F. ...            |
| 7. Larry L. Boy       | 27. William S. ...         |
| 8. Charles H. Johnson | 28. William E. ...         |
| 9. Wood D. ...        | 29. Robert E. ...          |
| 10. Carl D. ...       | 30. Frank ...              |
| 11. ...               | 31. C. R. ...              |
| 12. ...               | 32. ...                    |
| 13. ...               | 33. ...                    |
| 14. ...               | 34. ...                    |
| 15. ...               | 35. ...                    |
| 16. ...               | 36. ...                    |
| 17. ...               | 37. ...                    |
| 18. ...               | 38. ...                    |
| 19. ...               | 39. ...                    |
| 20. ...               | 40. ...                    |



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301

ENTERED FOR RECORD

BOOK 68 APR 18 1975

Marilee Abbott

RECORDER HENDRICKS COUNTY

CROSS REFERENCE

8058

Re: VALENTOS OF RESTRICTIVE COVENANTS AND DEED TO COMMON AREAS OF LAKEWOOD TERRACE -- Article 12

We the undersigned, do hereby grant permission for the owner's of lot #43 of Lakewood Terrace to construct a 6' privacy fence. The said fence shall run from the Southwest rear corner of the owner's home to the property line and follow the rear property line to the Southeast rear corner of the owner's home.

- |     |                           |     |                       |
|-----|---------------------------|-----|-----------------------|
| 1.  |                           | 21. | <u>Wanda Bandy</u>    |
| 2.  |                           | 22. | <u>Linda Mitchell</u> |
| 3.  |                           | 23. | <u>Harold P. ...</u>  |
| 4.  | <u>Robert ...</u>         | 24. | <u>William ...</u>    |
| 5.  | <u>Charles M. Johnson</u> | 25. | <u>Libby ...</u>      |
| 6.  |                           | 26. | <u>Thomas ...</u>     |
| 7.  |                           | 27. | <u>Wayne ...</u>      |
| 8.  |                           | 28. | <u>George ...</u>     |
| 9.  |                           | 29. | <u>Robert ...</u>     |
| 10. |                           | 30. | <u>Thomas ...</u>     |
| 11. | <u>Clifford R. ...</u>    | 31. | <u>Mr. ...</u>        |
| 12. |                           | 32. |                       |
| 13. |                           | 33. | <u>Cheryl ...</u>     |
| 14. |                           | 34. |                       |
| 15. |                           | 35. |                       |
| 16. |                           | 36. |                       |
| 17. |                           | 37. |                       |
| 18. |                           | 38. |                       |
| 19. | <u>Harry ...</u>          | 39. |                       |
| 20. |                           | 40. |                       |



Requested By: mjm 09/08/2003

BOOK 151 PAGE 268

LAKWOOD TERRACE SUBDIVISION  
AMENDMENT TO CONSTITUTION

Article IV, Section 1: Annual Assessment

The yearly assessment for each household whose property borders the lake shall be \$150, all others shall be \$100, payable no later than March 1 of the current year.

In Witness whereof, Lakewood Terrace Association, its president Steve Schachte, his offices and committees and recorded by its treasurer Chris Collins, this 21 day of December, 1995

*Steve Schachte*  
Steve Schachte, Pres.

*John Hizer*  
John Hizer, Vice-Pres.

*Henrietta Doss*  
Henrietta Doss, Secretary

*Chris Collins* *Chris Collins*  
Chris Collins, Treasurer

9500022431  
Filed for Record in  
HENDRICKS COUNTY IN  
JOY BRADLEY  
On 12-21-1995 At 10:25 am.  
BYLA 10.00  
Vol. 151 Page 268

*Bill Shank*  
Bill Shank, Director

*Tom Ward*  
Tom Ward, Director

*Charles Weddell*  
Charles Weddell, Director

*Russ Lefler*  
Russ Lefler, Director

BEFORE ME A NOTARY PUBLIC APPEARED STEVEN R. SCHACHTE AND CHRIS COLLINS ON THE 21st DAY OF DECEMBER, 1995.

*Deborah L. England*  
Deborah L. England, Notary Public

County of Residence: Hendricks County

Expiration Date: 8/9/96

Book 132 Pg 104-116

This document prepared by Chris Collins

Requested By: mjm 09/08/2003

LAKWOOD TERRACE SUBDIVISION  
AMENDMENT TO CONSTITUTION

Article 1: NAME

The name of the organization shall be: Lakewood Terrace Association, Inc.

VOL. 151 PAGE 268

Article IV, Section 1: ANNUAL ASSESSMENT

The yearly assessment for each household whose property border the lake shall be \$210, all others shall be \$160, payable no later than March 1 of the current year.

In Witness whereof, Lakewood Terrace Association, Inc., its president Steve Schachte, his offices and committees and recorded by its treasurer Chris Collins, this 18 day of December, 2001.

Steve Schachte  
Steve Schachte, President

Tracy Clayton  
Tracy Clayton, Vice President

Chris Collins  
Chris Collins, Treasurer

Sheldon Arndt  
Sheldon Arndt, Secretary

John W. Jace  
John W. Jace, Director

Dan Murphy  
Dan Murphy, Director

Scott Drago  
Scott Drago, Director

Robert Pugh  
Robert Pugh, Director

200100038715  
Filed for Record in  
HENDRICKS COUNTY IN  
THERESA D LYNCH  
12-18-2001 09:19 am.  
AMEND COVEN 10.00  
OR Book 303 Page 166 - 166

Notary Public  
State of Indiana  
Nancy L. Dixon  
Commission #478820  
Exp. May 15, 2008

Nancy L. Dixon

This document prepared by Chris Collins

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